IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.45724 of 2008
AWADESH PRASAD KESHRI @ AWADESH KESHRI
Versus
STATE OF BIHAR
---

2. 16.12.2008 Heard Mr. Tara Kant Jha, learned senior advocate for the petitioner, Smt. Asha Verma, learned counsel for the informant and Mr. Dashrath Mehta, learned A.P.P.

The facts of the case and the reasons for granting bail to co-accused Nirmal Kumar Keshari @ Muna Keshari are fully detailed and discussed in my earlier order dated 4.9.2008 passed in Miscellaneous Petition no.28183 of 2008. The case of this petitioner does not appear to be similar with the above named accused person except that the learned A.P.P. and learned counsel for the petitioner both have heavily relied upon the evidence of dog tracking. The dog after sniffing the single slipper found near the place of occurrence entered inside the house of the present petitioner. The further material which has been placed before me was that the other slipper was found somewhere in the vicinity of the house of the petitioner. The next material which was placed was a knife and the same was recovered from a well and that could be the weapon of an offence.

WEB COPY NOT OFFICIAL

I do not want to say as to what could be merit of the evidence of dog tracking and finding of the knife from the well. Having considered the material in its entirety in the earlier occasion while passing Annexure-3, I do not see that the situation had improved by the above two evidence referred by the learned counsel

appearing for the informant and the State.

In that view, prayer for bail of the petitioner Awadesh Prasad Keshri @ Awadesh Keshri is allowed and he is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the C.J.M., Bhojpur (Arrah) in connection with Bihiya P.S. case no.67 of 2008.

(Dharnidhar Jha,J)

sudip

WEB COPY NOT OFFICIAL